

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION

Robert Long,)	
)	C/A No. 5:18-2634-TMC
Plaintiff,)	
)	
v.)	ORDER
)	
Commissioner of Social Security,)	
and Louis L. Stanton, U.S. District)	
Court Judge for the Southern District)	
of New York,)	
)	
Defendant.)	

Plaintiff Robert Long, proceeding pro se, brought this action under 42 U.S.C. § 405(g), seeking judicial review of a final decision of the Commissioner of Social Security (“Commissioner”) alleging that since 2000 he has not been paid the full amount of his supplemental security income (“SSI”) benefits under the Social Security Act. (ECF No. 2 at 5).¹ This matter is before the court for review of the Report and Recommendation (“Report”) of the United States Magistrate Judge, made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02(B)(2)(a), D.S.C. (ECF No. 29).

Prior to filing this Report, the magistrate judge gave Plaintiff the opportunity to amend his original Complaint, (ECF No. 17), and Plaintiff filed the Amended Complaint (ECF No. 23). However, as the magistrate judge noted, the Amended Complaint did not cure the deficiencies. (ECF No. 29 at 3). Therefore, the magistrate judge recommends that the Amended Complaint be dismissed with prejudice and without issuance and service of process. *Id.* at 6. Plaintiff was notified of his right to file objections to the Report. (ECF No. 29. at 7). However, Plaintiff has not filed any objections, and the time to do has now run.

¹Plaintiff originally filed this action in the Southern District of New York. (ECF No. 2). On September 19, 2018, this action was transferred to this court. (ECF No. 4).

The Report has no presumptive weight and the responsibility to make a final determination in this matter remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). In the absence of objections, this court is not required to provide an explanation for adopting the Report. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Rather, “in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

After a thorough and careful review of the record, the court adopts the Report of the Magistrate Judge (ECF No. 29) which is incorporated herein by reference. Accordingly, this action is **DISMISSED** with prejudice and without issuance and service of process.

IT IS SO ORDERED.

s/Timothy M. Cain
United States District Judge

December 18, 2018
Anderson, South Carolina

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.